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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: : Customer No. 23713
Richardson, et al. : Group Art Unit: 1638
Serial No. 10/089,364 : Examiner: Not yet assigned
Filed: July 9, 2002 :
For: EXPRESSION OF PHYTASE IN PLANTS
AS A METHOD OF MODIFYING PLANT
PRODUCTIVITY

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as EXPRESS MAIL in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

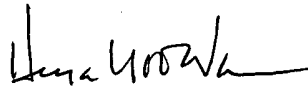
Sir:

Further to the Information Disclosure Statement filed September 12, 2002, the Examiner is respectfully requested to consider the additional references, copies enclosed, which may qualify as prior art. For the Examiner's convenience, the references are listed on the attached Patent and Trademark Office Form PTO-1449. Two of the published applications are not in English. Accordingly, English abstracts are also provided.

The references and information provided herewith are cited in a spirit of forthrightness and cooperation to enable Applicants to obtain that measure of protection for the invention to which there is entitlement. However, no representation is made that the listed art actually qualifies as prior art under the patent statute and the mere use of PTO-1449 is not an admission that all listed references are prior art. No representation is made that Applicants know of the best art.

It is believed that the present submission does not require the payment of any fees under 37 C.F.R. 1.16-1.17 in view of the statement under 37 C.F.R. 1.97(c)(1). If this is incorrect, however, please deduct any necessary fee from Deposit Account 07-1969.

Respectfully submitted,



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Attorney Docket No.: 37-02
bmk: July 7, 2004



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| Form PTO 1449 | | |
| ATTY DOCKET NO. 37-02 | SERIAL NO. 10/089,364 | FILING DATE 7/9/02 |
| APPLICANT Richardson et al. | | GROUP 1638 |

U.S. PATENT DOCUMENTS

| Exmr Initial | | Document Number | Date | Name | Class | Subclass | Filing Date if Appropriate |
|-----------------|--|--------------------|------|------|-------|----------|-------------------------------|
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FOREIGN PATENT DOCUMENTS

| | | Document Number | Date | Country | Class | Subclass | Translation Yes/No |
|--|--|--------------------|----------|---------|-------|----------|-----------------------------|
| | | WO 97/38096 | 16/10/97 | PCT | C12N | 9/16 | No + English abstract |
| | | WO 98/05785 | 12/02/98 | PCT | C12N | 15/55 | No + English abstract |
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OTHER PRIOR ART (including Author, Title, Date, Pertinent Pages, etc.)

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|--|--|--|---|
| | | | Li Minggang et al. (1997) "Secretion of Phytase from the roots of several plant species under phosphorus-deficient conditions"; <i>Plant and Soil</i> 195 (1):161-169. |
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| EXAMINER | DATE CONSIDERED |
| *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |

12/20/89